UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	
LUCIA MARETT, on behalf of herself and all: others similarly situated,:	Case No. 1:16-CV09052 (JPO)
Plaintiff, : v. :	NOTICE OF MOTION TO DISMISS PLAINTIFF'S CLASS ACTION COMPLAINT FOR FAILURE TO STATE A

RED LOBSTER HOSPITALITY, LLC,

Defendant.

CLAIM AND LACK OF SUBJECT MATTER **JURISDICTION**

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PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of its Motion to Dismiss Plaintiff's Class Action Complaint for Failure to State a Claim and Lack of Subject Matter Jurisdiction, and the accompanying Declaration of Koshii Eslinger (dated February 2, 2017), the Defendant, RED LOBSTER HOSPITALITY, LLC ("Red Lobster" or the "Company"), will move this Court before the Honorable J. Paul Oetken, in the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, Courtroom 706, on a date and time to be determined by the Court, for an order pursuant to Federal Rules of Civil Procedure 12(b)(6) and 12(b)(1) dismissing the Complaint filed by the Plaintiff, LUCIA MARETT ("Marett"), with prejudice, for failure to state a claim and lack of subject matter jurisdiction.

Dated: February 2, 2017

New York, New York

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Attorneys for Red Lobster Hospitality, LLC

CERTIFICATE OF SERVICE

I, Amy J. Traub, hereby certify that on February 2, 2017, a true and correct copy of the foregoing Notice of Motion to Dismiss was served on all counsel of record via the Court's ECF system.

/s/ Amy J. Traub Amy J. Traub